

# COUNCIL COMING ATTRACTIONS



## **Week of May 6, 2019**

**FY20 Recommended Operating Budget, Economic Impact Statements, Internal Audit, Minimum Work Week for Building Maintenance Workers, Dispositions, Health Regulation on Lead in Drinking Water in Schools, Clean Energy Program (CPACE), Equal Pay, Law Enforcement Trust and Transparency**

Council Coming Attractions is a summary of some of the issues before the Council. All Council staff reports and additional information on each item scheduled for Council or Committee review can be viewed at: <http://www.montgomerycountymd.gov/COUNCIL/ondemand/index.html> .

The Council meeting schedule may change from time to time. The current Council and Committee agendas can also be viewed at: <http://www.montgomerycountymd.gov/COUNCIL/ondemand/index.html> .

- On Monday, May 6 the Council meeting will start at 9:30 a.m. with a proclamation and special commemoration recognizing Asian American and Pacific Islander Heritage Month. On Tuesday, May 7 the Council meeting will start at 9:30 a.m. with a reflection from Brian Kramer, a senior at Northwood High School, and proclamations recognizing Holocaust Remembrance Day (Yom HaShoah), ALS Awareness Month and Small Business Week.

## **Useful Information Week of May 6, 2019**

### **COUNCIL**

#### **Asian American and Pacific Islander Heritage Month**

On May 6 at 9:30 a.m. the Council will commemorate Asian American and Pacific Islander Heritage Month, which is recognized nationally throughout the month of May. This special event will include a pre-meeting breakfast reception, a prepared video segment focused on youth voices on racial equity in the Asian American and Pacific Islander community, a proclamation presentation by Councilmembers and comments from participants. The focus of this year's event is highlighting youth voices in Montgomery County's Asian American and Pacific Islander communities on the topic of racial equity. The webpage for this event can be viewed here:

<https://www.montgomerycountymd.gov/COUNCIL/SpecialPrograms/AsianAmerican2019.html>



## **Fiscal Year 2020 (FY20) Operating Budget and Capital Improvements Program (CIP) Amendments**

The Council will review the FY20 Operating Budget and CIP amendments for the following items:

- **Washington Suburban Sanitary Commission (WSSC)**

WSSC is a bi-county governmental agency established in 1918 by an Act of the Maryland General Assembly. It provides water and sanitary sewer service in the Washington Suburban Sanitary District, which includes most of Montgomery and Prince George's Counties. In Montgomery County, only the Town of Poolesville and portions of the City of Rockville are outside of the District. The Recommended FY20 Operating Budget is \$817.4 million. The recommendations of the Transportation and Environment (T&E) Committee can be found on page 1 of the Council staff report, which can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190506/20190506\\_1.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190506/20190506_1.pdf)

- **Maryland-National Capital Park and Planning Commission (M-NCPPC)**

M-NCPPC manages the County's physical growth and plans communities; protects and stewards natural, cultural, and historical resources; and provides leisure and recreational experiences. The Recommended FY20 Operating Budget is \$155.5 million. The recommendations of the Planning, Housing and Economic Development (PHED) Committee can be found on page 1 of the Council staff report, which can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190506/20190506\\_2.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190506/20190506_2.pdf)



## **Bill 10-19, Legislative Branch - Economic Impact Statements – Amendments**

On May 7 at 10 a.m. the Council will introduce Bill 10-19, Legislative Branch - Economic Impact Statements – Amendments. Councilmember Andrew Friedson is the lead sponsor. Councilmember Gabe Albornoz, Council President Nancy Navarro, Council Vice President Sidney Katz and Councilmembers Craig Rice and Evan Glass are cosponsors. Bill 10-19 would require the director of the Office of Legislative Oversight to prepare an economic impact statement for each bill and would modify the required contents of an economic impact statement. The goal of this bill is to ensure that the economic impacts of new legislation on residents, on the County's budget and on businesses and other stakeholders is thoroughly assessed. A public hearing is scheduled on June 11 at 1:30 p.m. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507\\_3A.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507_3A.pdf)

Key search terms for this legislation on the Council's website include: economic impact statements, Office of Legislative Oversight and legislative analysis. #MoCoEconomicImpact is being used for this bill on social media.



## **Bill 11-19, Administration - Internal Audit - Inspector General - Amendments**

The Council will introduce Bill 11-19, Administration - Internal Audit - Inspector General – Amendments. The Audit Committee is the lead sponsor. A public hearing is scheduled on June 11 at 1:30 p.m. Bill 11-19 would do the following:

- require the Office of Internal Audit to prepare an annual work plan for approval of the Chief Administrative Officer and submit the work plan to the Council for comment;
- require the Office to submit an annual report to the Inspector General (IG);
- require the IG to conduct a risk analysis of the County's internal controls and processes, and based on the risk analysis, conduct a systematic rotating group by group review of the internal accounting and contracting processes and controls used by each department and principal office in the Executive Branch; and
- require the IG to audit each completed County contract funded in the operating budget with a contract value greater than \$1 million.

The goal of this bill is to improve the legislative oversight of the County's internal accounting and contracting processes. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507\\_3B.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507_3B.pdf)

Key search terms for this legislation on the Council's website include: audit, accounting, contracting, Inspector General and Office of Internal Audit. #TransparencyinGovt is being used for this bill on social media.



#### **Bill 12-19, Human Rights and Civil Liberties- Building Maintenance Worker- Minimum**

The Council will introduce Bill 12-19, Human Rights and Civil Liberties- Building Maintenance Worker- Minimum. Councilmember Hans Riemer is the lead sponsor. Councilmembers Will Jawando and Tom Hucker are cosponsors. Bill 12-19 would require an employer to provide a minimum work week of at least 30 hours for each employee working as a janitor, building cleaner, security officer, concierge, doorperson, handyperson or building superintendent at an office building occupying at least 350,000 square feet in the County. The bill would also apply to a County government employee working as a building maintenance worker in an office building of at least 350,000 square feet. The bill would not apply to a person working in a building owned by the United States, any state or any local government. The goal of this bill is to increase the availability of full-time work with health insurance for the above types of workers. A public hearing is tentatively scheduled for June 18 at 1:30 p.m. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507\\_3C.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507_3C.pdf)

Key search terms for this legislation on the Council's website include: building maintenance worker, building maintenance employee and minimum work week. #MinimumWorkWeek is being used for this bill on social media.



#### **Bill 13-19, County Property - Disposition - Reuse Analysis**

The Council will introduce Bill 13-19, County Property - Disposition - Reuse Analysis. Councilmember Gabe Albornoz is the lead sponsor. Bill 13-19 would modify the procedures for disposition of County property and require the Executive to submit a reuse analysis to the County. The goal of this bill is to bring greater transparency and accountability to the property disposition process and give the Council information on how the reuse analysis was performed; and to allow the Council to see which County departments or outside agencies have expressed interest in potential surplus property and for what purpose. A public hearing is scheduled on June 18 at 1:30 p.m. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507\\_3D.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507_3D.pdf)

Key search terms for this legislation on the Council's website include: disposition of property, County properties and County facilities. #MoCoProperties is being used for this bill on social media.



#### **Bill 2-19, Health - Lead in Drinking Water – Schools and Resolution to adopt Bill 2-19 as a Board of Health Regulation**

The Council is scheduled to vote on Bill 2-19, Health – Lead in Drinking Water – Schools, and to vote on a resolution to adopt Bill 2-19 as a Board of Health regulation. Councilmember Tom Hucker is the lead sponsor. All other Councilmembers are cosponsors. The bill also requires corrective action for water fountains and other water sources in public school buildings with lead concentration greater than the County lead limit. The goal of this legislation is to help ensure that students have safe drinking water at public schools. The joint Health and Human Services (HHS) and Education and Culture (E&C) Committees recommend enactment. The Council staff report can be viewed here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507\\_4A-5A.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507_4A-5A.pdf)

Key search terms for this legislation on the Council's website include: lead, water, water fountains, schools and health. #SafeWater4Students is being used for this bill on social media.



### **Bill 7-19, Environmental Sustainability - Commercial Property Assessed Clean Energy Program - New Construction**

The Council is scheduled to vote on Bill 7-19, Environmental Sustainability - Commercial Property Assessed Clean Energy Program – New Construction. Councilmember Tom Hucker is the lead sponsor. All other Councilmembers are cosponsors. Bill 7-19 would expand the Commercial Property Assessed Clean Energy (CPACE) Program to new construction. The goal of this bill is to promote environmental sustainability by allowing new commercial construction to be eligible for the CPACE program. The T&E Committee recommends enactment with a clarifying amendment. The amendment can be found on page 2 of the Council staff report, which can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507\\_4B.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507_4B.pdf)

Key search terms for this legislation on the Council’s website include: Clean Energy Program, new construction and environmental incentives. #MoCoCleanEnergy is being used for this bill on social media.



### **Bill 4-19, Personnel - Merit System - Requesting Salary History Prohibited**

The Council is scheduled to vote on Bill 4-19, Personnel – Merit System – Requesting Salary History Prohibited. Councilmember Evan Glass is the lead sponsor. All other Councilmembers are cosponsors. Bill 4-19 would prohibit the County from requesting salary history from an applicant for County employment and prohibit the County from relying on salary history to determine an applicant’s starting salary. The goal of this bill is to help eliminate wage inequity between genders for Montgomery County Government employees. The Government Operations and Fiscal Policy Committee recommends enactment. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507\\_4C.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507_4C.pdf)

Key search terms for this legislation on the Council’s website include: equal pay, salary history, wage gap and pay disparities. #MoCoEqualPay is being used for this bill on social media.



### **Bill 1-19, Police - Officer Involved Death - Independent Investigation**

The Council is scheduled to vote on Bill 1-19, Police - Officer Involved Death - Independent Investigation, also known as the Law Enforcement Trust and Transparency (LETT) Act. Councilmember Will Jawando is the lead sponsor. All other Councilmembers are cosponsors. Bill 1-19 would do the following:

- require an independent investigation of an officer involved death of an individual;
- establish qualifications for an independent investigation of an officer involved death;
- require the independent investigators to submit a final written report to the State’s Attorney and make the written report public under certain circumstances; and
- amend the law governing investigations of an officer involved death.

The goal of this bill is to provide transparency in these investigations and to help promote public confidence in the Montgomery County Police Department. The Public Safety (PS) Committee recommends enactment with the following amendments:

- an amendment that would require the County Executive to report to the Council on efforts to obtain an agreement with another law enforcement agency to perform an independent investigation and explain what attempts were made if the County Executive is unsuccessful;
- an amendment to permit withholding the report from the public for the seven reasons a custodian can withhold an investigatory report from a person in interest under the Maryland Public Information Act;
- an amendment clarifying that the County Police can perform routine police work at the scene and assist the independent investigators in a support role as necessary;
- an amendment to require the independent investigators to be sworn officers; and
- an amendment to require investigators to have homicide and law enforcement officer use of force investigation experience.

The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507\\_4D.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507_4D.pdf)

Key search terms for Bill 1-19 on the Council's website include: LETT Act, officer involved death and police investigation. #LawEnforcementTransparency is being used for this item on social media.



### **Overview of Committee Recommendations on FY20 Operating Budget**

The Council will receive an overview of Committee recommendations on the FY20 Operating Budget. Council staff will summarize the total impact of the six Council Committees' recommendations on the budget. The Council staff report will be available here on Monday, May 6:

[https://montgomerycountymd.gov/COUNCIL/Resources/Files/agenda/col/2019/20190507/20190507\\_AG.pdf](https://montgomerycountymd.gov/COUNCIL/Resources/Files/agenda/col/2019/20190507/20190507_AG.pdf)



### **Budget Consent Calendar – FY20 Operating Budget**

Numerous budgets are on the consent calendar, which generally means that all issues have been reviewed and resolved in the Council's committees. Council staff reports for all budget items in the consent calendar can be viewed here:

[https://montgomerycountymd.gov/COUNCIL/Resources/Files/agenda/col/2019/20190507/20190507\\_AG.pdf](https://montgomerycountymd.gov/COUNCIL/Resources/Files/agenda/col/2019/20190507/20190507_AG.pdf)



### **FY20 Operating Budget and CIP Amendments**

On May 7 at 11:30 a.m. the Council will review the FY20 Operating Budget and CIP amendments for the following items:

- **Department of Correction and Rehabilitation (DOCR)**

The mission of DOCR is to protect and serve the residents of Montgomery County and the general public by providing progressive and comprehensive correctional, rehabilitative and community re-entry services. The Recommended FY20 Operating Budget is \$70.8 million. The recommendations of the PS Committee can be found on page 1 of the Council staff report, which can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507\\_41-5.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507_41-5.pdf)

- **WorkSource Montgomery NDA**

WorkSource Montgomery is the private non-profit corporation authorized by Council Resolution 18-295 as the County's designated workforce development corporation. WorkSource Montgomery, Inc. has been designated to implement the County's workforce development policies established by the Workforce Development Board to promote job growth and talent attraction. The Recommended FY20 Operating Budget is \$1,809,594. The recommendations of the joint PHED and E&C Committees can be found on page 1 of the Council staff report, which can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507\\_41-6.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507_41-6.pdf)



### **FY20 Operating Budget and CIP Amendments**

On May 7 at 1:30 p.m. the Council will review the FY20 Operating Budget and CIP amendments for the following items:

- **Transportation and Related NDAs**

The Council will review the FY20 Operating Budget and CIP amendments for transportation and related NDAs. The County Executive's Recommended FY20 Operating Budget for the Department of Transportation is \$196,720,309, an increase of \$7,105,329 or 3.7 percent over FY19. The recommendations of the T&E Committee can be found on pages 1 and 2 of the Council staff report, which can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507\\_47.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507_47.pdf)

- **Department of Housing and Community Affairs**

DHCA's mission is to prevent and correct problems that contribute to the physical decline of residential and commercial areas; ensure fair and equitable relations between landlords and tenants; increase the supply of affordable housing; and maintain existing housing in a safe and sanitary condition. The Recommended FY20 Operating Budget is \$58,574,829. The Council staff report will be available here on Monday, May 6:



## PUBLIC HEARINGS



### **Additional amendments to the FY20 Operating and Capital Budgets and amendments to FY19-24 CIP received on Thursday, April 11, 2019.**

The Council will hold a public hearing on additional amendments to the FY20 Operating and Capital Budgets and amendments to FY19-24 CIP transmitted from the County Executive to the Council on April 11. The County Executive's transmittal memo and recommendations can be found in the Council staff report, which can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507\\_42.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507_42.pdf)



### **Supplemental appropriation to the County Government's FY19 Capital Budget and amendment to the FY19-24 Capital Improvements Program, Department of Transportation - \$3,885,000 for Resurfacing: Residential/Rural Roads**

The Council will hold a public hearing on a supplemental appropriation to the County Government's FY19 Capital Budget and amendment to the FY19-24 Capital Improvements Program for the Department of Transportation of \$3,885,000 for resurfacing residential/rural roads. This appropriation would accelerate funding for additional lane miles of road resurfacing, which the County Executive considers a core transportation infrastructure project. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507\\_43.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507_43.pdf)



### **Supplemental appropriation to the County Government's FY19 Operating Budget, Department of Transportation - \$11,584,423 and Department of General Services - \$3,641,663 for Snow Removal/Wind and Rain Storm Cleanup**

The Council will hold a public hearing on a supplemental appropriation to the County Government's FY19 Operating Budget for the Department of Transportation of \$11,584,423 and for the Department of General Services of \$3,641,663 for snow removal and wind and rain storm cleanup. This appropriation was recommended because expenditures for snow removal and storm cleanup currently exceed the FY19 appropriation of \$6,302,368. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507\\_44.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507_44.pdf)



### **Special appropriation to the FY19 Operating Budget, Montgomery County Public Schools (MCPS) - \$369,520 for Safety Survey Grant**

The Council will hold a public hearing on a supplemental appropriation to the FY19 Operating Budget for MCPS of \$369,520 for a Safety Survey Grant. The Maryland Safe to Learn Act of 2018 requires each school system to conduct a safety evaluation of each public school under the local school system's jurisdiction by June 15, 2019. MCPS' grant award is based on the School Safety Survey Grant formula of \$1,768 per school site. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507\\_45.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507_45.pdf)



### **Supplemental appropriation to the County Government's FY19 Operating Budget, Department of Health and Human Services, \$291,473 for the Kresge Foundation Opportunity Ecosystem Grant**

The Council will hold a public hearing on a supplemental appropriation to the County Government's FY19 Operating Budget for the Department of Health and Human Services of \$291,473 for the Kresge Foundation Opportunity Ecosystem Grant. This appropriation would fund the development of a two-generation approach to poverty alleviation in the Up County and East County regions. The HHS Committee recommends approval. The Council staff report can be viewed here:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507\\_46.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190507/20190507_46.pdf)